

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 1572 – SB 2519**

March 6, 2018

**SUMMARY OF ORIGINAL BILL:** Requires notice be filed with the Historical Commission prior to initiation of a suit regarding the termination or disposal of land on which a cemetery is located. Requires the Historical Commission to establish a Historic Cemetery Advisory Committee (HCAC) for the purpose of studying protections and preservation efforts for cemeteries of historical importance. Requires, by December 1, 2020 and every five years thereafter, the HCAC to submit a report, including recommendations for legislative action, to the Historical Commission.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures – \$32,000/One-Time  
\$54,300/Recurring

**IMPACT TO COMMERCE OF ORIGINAL BILL:**

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (014306):** Deletes and replaces certain language of the original bill such that the substantive changes add language which (1) prohibits the posting of notice concerning the removal of Native American Indian human remains on the Historical Commission's website, and (2) establishes the makeup of the HCAC.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

Increase State Expenditures – \$32,000/One-Time  
\$55,700/Recurring

Assumptions for the bill as amended:

- The posting of notices and reports on the Historical Commission's website can be accomplished within existing resources.

**HB 1572 – SB 2519**

- The Historical Commission does not currently possess data regarding historical cemeteries located statewide; therefore the Historical Commission will need to contract with a third party to conduct a statewide survey of historical cemeteries and establish information regarding such properties.
- The one-time increase in state expenditures associated with such contract is estimated to be \$25,000.
- In order to assist with compiling data on suits, historical cemeteries, local zoning, and preservation laws statewide, the Historical Commission will require an additional staff person.
- The recurring increase in state expenditures for salary, benefits, supplies and travel reimbursement associated with hiring additional staff is estimated to be \$54,267 (\$38,460 salary + \$13,307 benefits + \$2,500 supplies and travel).
- The one-time increase in state expenditures associated with purchase of office furniture and computer needs is estimated to be \$7,000.
- The proposed language requires the HCAC to be composed of seven members. Up to three members may be members of the Historical Commission and at least three non-members who have expertise in the following areas: archeology, cemetery or land law, and historic preservation.
- Under current law, pursuant to Tenn. Code Ann. § 4-11-102(e), members of the Historical Commission are reimbursed for travel expenses while engaged in work of the Commission.
- Members of the HCAC will be reimbursed in a similar manner as Historical Commission members.
- It is reasonably estimated that the HCAC will meet quarterly and such reimbursement will exceed \$50 per person, per meeting; therefore the estimated increase in state expenditures for travel reimbursement is estimated to exceed \$1,400 (\$50 reimbursement x 4 meetings per year x 7 members).
- The total one-time increase in state expenditures for a third party contract and supplies is estimated to be \$32,000 (\$25,000 contract + \$7,000 supplies).
- The total recurring increase in state expenditures for staff and travel reimbursement is estimated to exceed \$55,667 (\$54,267 additional staff + \$1,400 member reimbursement).

## **IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- The proposed language establishes an advisory commission within the Historical Commission; therefore any impact to commerce in Tennessee is estimated to be not significant.

- The proposed legislation will result in one job being created within the Historical Commission; however, any overall impact on jobs in Tennessee is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee" followed by the letters "RNC" in a smaller, less distinct script.

Krista M. Lee, Executive Director

/jrh